

# SENATE BILL REPORT

## SHB 2444

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As Reported By Senate Committee On:  
Human Services & Corrections, February 28, 2008

**Title:** An act relating to requiring registered sex and kidnapping offenders to submit information regarding any e-mail addresses and any web sites they create or operate.

**Brief Description:** Requiring registered sex and kidnapping offenders to submit information regarding any e-mail addresses and any web sites they create or operate.

**Sponsors:** House Committee on Apps Subcom GG (originally sponsored by Representatives Pearson, McCune, Priest, Haler, Armstrong, Kristiansen, Crouse, Rodne, Bailey, Hinkle, Hailey, Kretz, Warnick, Sump, Roach, Orcutt, Newhouse, Ahern, Alexander, Skinner, Hurst, Schindler, Walsh, Smith, Campbell, Dunn, Herrera, Kelley and McDonald).

**Brief History:** Passed House: 2/15/08, 94-0.

**Committee Activity:** Human Services & Corrections: 2/26/08, 2/28/08 [DPA].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass as amended.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

**Staff:** Shani Bauer (786-7468)

**Background:** In 1990 the Legislature enacted the Community Protection Act, which, among other things, created a sex offender registry in Washington. A sex or kidnapping offender must register with the county sheriff in the county where the offender resides. The offender must also notify the sheriff when he or she enrolls in a public or private school, or an institution of higher education. Law enforcement officials use the information in the registry to notify the public, within certain guidelines, of a sex offender's presence in the community.

When an offender registers, the offender must provide a variety of information, including his or her name, address (a homeless offender must provide a description of where he or she plans to stay), date and place of birth, place of employment, crime of conviction, date and place of conviction, aliases used, Social Security number, photograph, and fingerprints. A sex or kidnapping offender's picture may be taken at any time to update the individual's file.

Failure to comply with any of the registration requirements is a Class C felony, if the crime for which the person is required to register was a felony; and a gross misdemeanor, if the underlying crime was a gross misdemeanor.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill (Recommended Amendments):** A county sheriff may request the email address, internet communication name, and identifier of any personal web site (collectively "email address") from a sex or kidnapping offender who is required to register and forward the information to the WSP. The requirement is a separate statutory provision from the registration statute and therefore a failure to provide an email address would not constitute a failure to register.

The WSP may share information with an online organization or business (such as MySpace) to compare the information with their database. The business or organization must agree not to further distribute the information.

**EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS (Recommend Amendments):** Removes provisions that require a sex or kidnapping offender to provide his or her electronic mail address and the uniform resource locator of any personal website he or she created or operates as part of the requirements for registration. Allows the county sheriff to request email address information from a sex or kidnapping offender who is required to register and forward the information to the WSP. The requirement is a separate statutory provision and therefore a failure to provide an email address would not constitute a failure to register. Permits the WSP to share information with an online organization or business (such as MySpace) to compare the information with their database. The business or organization must agree not to further distribute the information.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Substitute Bill:** PRO: Many young people use the Internet for social networking. Sex and kidnapping offenders often use the Internet to groom young people. This is a common sense way to increase public safety.

OTHER: Juveniles should be held accountable for their behavior. The intent of this legislation seems aimed at those offenders who use the Internet to target their victims. The majority of juvenile offenders do not fall into this category. The more complicated we make registration laws, the harder it is for these juveniles to succeed. The counties have some problems with the House bill version and strongly support the permissive language of the Senate bill.

**Persons Testifying:** PRO: Representative Pearson, prime sponsor.

OTHER: Cheryl Sullivan-Colglazier, Department of Social and Health Services, Juvenile Rehabilitation Administration; Don Pierce, Washington Association of Sheriffs and Police Chiefs.